
SUMMARY OF PROCEEDINGS

JOINT SELECT COMMITTEE ON CAPITAL TRAIL, SENTENCING, AND POST CONVICTION PROCEDURES FOR PERSONS WHO SUFFER SEVERE MENTAL DISABILITIES

THURSDAY JANUARY 15, 2009
ROOM 1124 LEGISLATIVE BUILDING
2:00 PM

The Joint Select Committee on Capital Trail, Sentencing, and Post Conviction Procedures for Persons Who Suffer Severe Mental Disabilities met Thursday January 15, 2009 at 2:00 in room 1124 of the Legislative Building.

Representative Verla Insko presided. Members present were Senators Stan Bingham, Fletcher Hartsell Jr., Ed Jones and Representatives Pricey Harrison, Tim Moore, and Bonner Stiller. Staff members present were Hal Pell, Emily Johnson and Denise Thomas. A copy of the roll denoting members present is attached to the minutes (Attachment A) along with a copy of the visitor registration and agenda sheet (Attachments B and C).

Rep. Insko called the meeting to order. Sen. Kinnaird recognized Kris Parks for her work with the Mental Health community.

Rep. Insko announced the Committee has requested that the Conference of District Attorneys make a statement and to participate. They are not meeting again until February so they are unavailable to make a statement before Session begins. They will testify during the committee process.

Rep. Insko proposed that the Committee authorize Staff to write the report with no recommendations. The report would be a record of committee proceedings with no recommendations. When the bill is introduced all comments that have been heard in the meeting and from Conference of District Attorneys and anyone else that want to testify would be on record before a formal vote was taken on the bill. The final Bill will be sent out in a draft. The Committee will vote on this proposal at the end of today's meeting.

Rep. Insko recognized Kimberly Stevens, attorney from Winston Salem. (Attachment J) Ms. Stevens said approximately 1% of the 1600 some capital cases in NC since 2001 received the death penalty. When we look at who are among the worst of the offenders that issue turns on the offenders culpability. The US Supreme Court has addressed the issue of culpability and applied it in terms in both retribution and deterrence. Those offenders who deserve or can be the subject of retribution are those offenders who are capable of engaging in a calculus that weighs out in cold blooded fashion the full